

House Bill 906

By: Representative Lunsford of the 110th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 of Title 14 of the Official Code of Georgia Annotated,
2 relating to purposes and powers of nonprofit corporations, so as to provide that a nonprofit
3 corporation engaged in the operation of a hospital which does not provide a certain level of
4 uncompensated indigent care shall pay into the Indigent Care Trust Fund a certain amount;
5 to provide that any such corporation which fails to meet such level of indigent care provision
6 shall be treated as a for profit corporation for all purposes under Title 48 of the Official Code
7 of Georgia Annotated; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 3 of Title 14 of the Official Code of Georgia Annotated, relating to
11 purposes and powers of nonprofit corporations, is amended by adding a new Code section
12 as follows:

13 "14-3-306.

14 A corporation which is organized under this chapter for the purpose of operating a hospital
15 shall provide uncompensated indigent care at a level established in accordance with
16 schedules created by the United States Department of Health and Human Services for the
17 provision of Medicaid fees and services equal to or exceeding 6 percent of such
18 corporation's total compensated services. Any such corporation which in any year fails to
19 provide such level of uncompensated indigent care shall pay into the Indigent Care Trust
20 Fund created by Code Section 31-8-152 an amount which equals the difference between
21 the value of uncompensated indigent care so calculated and 6 percent of the corporation's
22 total compensated services. Any such corporation which fails to render such minimum
23 uncompensated indigent care for two consecutive years shall cease to be eligible for
24 treatment as a nonprofit corporation for all purposes under Title 48."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.